

**PHYSICAL THERAPISTS AFFILIATED CREDENTIALING BOARD  
MADISON, WI  
MINUTES  
JANUARY 7, 2003**

**PRESENT:** Otto Cordero, Barbara Flaherty, Laurie Kontney, Shirley Mook

**STAFF PRESENT:** Kimberly Nania, filling in for Deanna Zychowski, Wayne Austin, Grace Schwingel

**GUESTS:** Ron Hermes, WPTA

**CALL TO ORDER**

Otto Cordero, Chair, called the meeting to order at 10:30 a.m. A quorum of 4 members was present.

**APPROVAL OF AGENDA**

**MOTION:** Barbara Flaherty moved, seconded by Laurie Kontney, to approve the agenda as published. Motion carried unanimously.

**ELECTION OF OFFICERS**

**MOTION:** Shirley Mook moved, seconded by Laurie Kontney, to nominate Barbara Flaherty as Chair. Nominations closed. The Board voted to elect Barbara Flaherty as Chair. Motion carried unanimously.

**MOTION:** Laurie Kontney moved, seconded by Barbara Flaherty, to nominate Otto Cordero as ViceChair. Nominations closed. The Board voted to elect Otto Cordero as Vice Chair. Motion carried unanimously.

**MOTION:** Barbara Flaherty moved, seconded by Shirley Mook, to nominate Laurie Kontney as Secretary. Nominations closed. The Board voted to elect Laurie Kontney as Secretary. Motion carried unanimously.

**APPROVAL OF MINUTES OF NOVEMBER 5, 2002**

Amendments to Minutes of 11/5/02: To correct the spelling of Laurie Kontney's name on pages 2 and 3 of the minutes.

**MOTION:** Shirley Mook moved, seconded by Otto Cordero, to approve the minutes of November 5, 2002 as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF TELEPHONE CONFERENCE CALL OF  
NOVEMBER 27, 2002**

**MOTION:** Otto Cordero moved, seconded by Laurie Kontney, to approve the minutes of the telephone conference call of 11/27/02 as published. Motion carried unanimously.

**MEETING WITH SECRETARY OF REGULATION & LICENSING**

Kimberly Nania reviewed with the Board the process for filling vacancies on boards and reported that the profession has 4,459 physical therapists in and out of state. It was also noted that there are currently 78 licensed PTAs, and 47 pending PTA licenses.

**PRESENTATION OF PROPOSED STIPULATIONS THAT MAY BE SIGNED AFTER  
MAILING OF AGENDA**

None

**PRESENTATION BY DIVISION OF ENFORCEMENT STAFF ON THE HANDLING  
OF UNLICENSED PRACTICE CASES - ATTORNEY MIKE BERNDT**

Attorney Mike Berndt reviewed with the Board the statutes and the process involved in the Department's enforcement of unlicensed practice cases. Mike Berndt answered specific questions board members had related to individuals who practiced physical therapy with the proper education but without a license and also, individuals who practiced without the proper educational background or a license.

It was pointed out that the Board only has authority over individuals who are licensed. The Department, through DOE, disciplines through significant fines (\$10,000), individuals who practice without a license.

**REVIEW OF SCOPE STATEMENT RELATING TO CREATION OF LICENSURE OF  
PHYSICAL THERAPY ASSISTANTS, ESTABLISHING A CODE OF ETHICS, CE  
REQUIREMENTS, ESTABLISHING A DUTY TO REFER TO OTHER HEALTH CARE  
PROVIDERS, CREATING NEW BASES FOR DISCIPLINARY ACTIONS**

The Board reviewed the scope statement, noting that under the "Objective of the Rule" the sentence should read, "The proposed rules bring the existing physical therapy rules into conformity with the provision of **2001** Wisconsin Act 70, and establish requirements relating to continuing education.

**REVIEW OF DRAFT 5 OF PROPOSED ADMINISTRATIVE RULE REVISIONS  
GOVERNING PHYSICAL THERAPISTS ASSISTANTS**

The Board reviewed the draft of proposed administrative rule revisions, indicating that the rule revisions govern physical **therapists** assistants and authorized Legal Counsel, Wayne Austin, to make the recommended changes to the rule. The Board expressed an interest in seeing a copy of the Model Practice Act. It was noted the Board has until next year to get the rule promulgated.

The Board would like to discuss at its next meeting the statement made in the rule indicating that the Board "periodically" (not annually) reviews and approves foreign graduate evaluation services. The Board requested that the Bureau Director provide a list of board-approved evaluation services which, it was stated, is available from the Board upon request.

### **APPOINTMENT OF DELEGATE TO FEDERATED MEETING MARCH, 2003 IN SALT LAKE CITY, UTAH**

Kimberly Nania recommended that the Board wait until its July meeting to name the delegate for the September meeting due to the fact that the terms of some board members will expire July 1<sup>st</sup> and Governor Doyle may be appointing new members to the Board in July.

Otto Cordero nominated Laurie Kontney to attend the March 2003 meeting in Salt Lake City, Utah as the board representative. Laurie Kontney nominated Otto Cordero to attend the March 2003 meeting as the state representative.

It was noted that the Federation pays for one person to attend and, in the past, the Department has paid for one person to attend the Professional meeting.

Roxanne Peterson will make all the arrangements for 2 board members to attend the meeting. Arrangements need to be completed by 1/31/03. The Board may need to designate which board member's attendance is paid for by the federation.

### **CLOSED SESSION**

**MOTION:** Laurie Kontney moved, seconded by Otto Cordero, to adjourn to closed session pursuant to Wisconsin State statutes 19.85(1)(a)(b)(f) and (g) to review exam issues and consult with Legal Counsel. Role Call vote: Otto Cordero-yes, Barbara Flaherty-yes, Laurie Kontney-yes, Shirley Mook-yes. Motion carried unanimously.

Open Session recessed at 11:50 a.m.

### **RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

**MOTION:** Laurie Kontney moved, seconded by Otto Cordero, to reconvene into open session at 3:05 p.m. Motion carried unanimously.

### **VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION**

The Board reviewed exam issues. There were no decisions made in closed session that required motions to be made and therefore, no vote was required by the Board.

**DELIBERATION OF PROPOSED STIPULATIONS THAT MAY BE SIGNED AFTER  
MAILING OF AGENDA**

None

**DIVISION OF ENFORCEMENT - CASE STATUS REPORT**

Noted

**DELIBERATION ON PROPOSED ADMINISTRATIVE WARNINGS RECEIVED AFTER  
MAILING OF AGENDA**

None

**CONSULTING WITH LEGAL COUNSEL**

Noted

**EXAM ISSUES**

Casey Brown of the Exam Office reviewed exam questions with the Board.

**OTHER BOARD BUSINESS**

**Regulatory Digest**

The Board discussed a Regulatory Digest: article that had been written but never published. The last Regulatory Digest for this Board was published in December 2000. There was a Regulatory Digest that was being worked on in February 2001.

**Meeting Times**

The Board approved meeting dates as scheduled through July 2003; with meetings to start at 8:30 a.m.

**Items For the Board's Next Agenda:**

- Report of how often the Board reviews and approves foreign graduate evaluation services (or schools?) Board would like a list of the board-approved evaluation services
- Physical Therapists Assistant is the correct term- not Physical Therapy Assistant.
- CAPTE (Commission on Accreditation for Physical Therapists Education)
- Model Practice Act.
- Nominations for board delegate for the September National meeting – needs to be made at the Board's July meeting.
- Regulatory Digest: Where are articles that were written on PTA licensure and practice issues?
  - Revised Practice Act
  - The revised scope statement
  - Publish pertinent statute information
  - How PTA licensure information will be disseminated to PTAs.
  - Describe the process for licensing PTAs (they're not legally required to have a license until April 2004) -
  - List the number of licensed PT's and PTA's
  - Short biographical sketch of new board members

**ADJOURN**

**MOTION:** Laurie Kontney moved, seconded by Otto Cordero, to adjourn the meeting at 3:40 p.m. Motion carried unanimously.

**Next Meeting: March 4, 2003**